

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

-against-

MEMORANDUM AND ORDER
04-CR-699 (DRH)(S-2)

RODNEY ARNOLDO MORRISON,

Defendant.

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A P P E A R A N C E S:

For the Government:

Roslynn R. Mauskopf
United States Attorney
Eastern District of New York
One Pierrepont Plaza
Brooklyn, New York 11201
By: James M. Miskiewicz, A.U.S.A.
Richard Thomas Lunger, Jr., A.U.S.A

For Defendant:

Law Offices of Peter Smith & Associates
232 East Main Street
Huntington, New York 11743
By: Peter Smith, Esq.

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Ronkonkoma, New York 11779

HURLEY, District Judge

The Court is in receipt of Mr. Smith's letter brief of August 2, 2006. On page 12 of that letter the following caption appears: "MR. MORRISON RENEWS HIS DUE PROCESS CLAIM." The Court will construe that portion of the letter as a Motion for Reconsideration of this Court's Order of July 21, 2006 which denied defendant's motion to dismiss the indictment on due process grounds.

The government is directed to serve and file its response to defendant's Motion for Reconsideration on or before August 11, 2006. Should defendant elect to file a Reply, he shall do so by August 16, 2006.

SO ORDERED.

Dated: August 4, 2006
Central Islip, New York

_____/s/_____
DENIS R. HURLEY, U.S.D.J.